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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 RICKEY CALHOUN,

14 Plaintiff,

15 v.

16 DR. HENRY RICHARDS *et al.*,

17 Defendants.
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CASE NO. C08-5101RBL/JRC

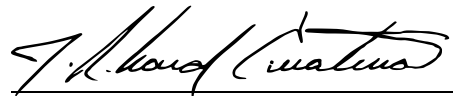
ORDER ON PENDING
DISCOVERY

19 This 42 U.S.C. § 1983 action has been referred to the undersigned Magistrate Judge
20 pursuant to 28 U.S.C. §§ 636 (b) (1) (A) and 636 (b) (1) (B) and Local Magistrates Judges' Rules
21 MJR 1, MJR 3, and MJR 4. This Order addresses two of Plaintiff's motions regarding discovery,
22 (Dkt # 143 and 146).
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24 In the first motion plaintiff asks for leave to depose the defendants and asks the
25 defendants to bear the cost of providing a tape recorder and tapes for the deposition. Defendants
26 oppose the motion and ask plaintiff to bear the costs (Dkt. # 149). Plaintiff replies arguing he is
indigent (Dkt. # 152). The motion to take the depositions is GRANTED. Defendants will

1 provide two working tape recorders. Plaintiff will provide two new blank tapes for each
2 deposition. Two copies of the deposition will be made with each side retaining one copy. The
3 deposition will take place before September 25, 2009. In the next motion plaintiff asks for leave
4 to depose four non defendants by written question (Dkt. # 146). Defendants do not oppose the
5 motion (Dkt. # 151). The motion is GRANTED. The parties are directed to follow Fed. R. Civ.
6 P. 31 regarding the taking of depositions by written questions. The scope of discovery is limited
7 to issues relevant to this action by the Court's prior order (Dkt. # 128, page 4). Plaintiff will
8 have until September 13, 2009 to make arrangements for the taking of these depositions. The
9 Clerk's Office is directed to send plaintiff a copy of this order and remove (Dkt. # 143 and 146)
10 from the Court's calendar.
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12 Dated this day 12th day of August, 2009.
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15 J. Richard Creatura
16 United States Magistrate Judge
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